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17 Attorneys for Plaintiffs

18 UNITED STATES DISTRICT COURT
19 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

20 MICHAEL LAVIGNE, *et al.*,
21 Plaintiffs,

22 vs.

23 HERBALIFE LTD., *et al.*,
24 Defendants.

CASE NO. 2:18-cv-07480-JAK (MRWx)
[Related Case 2:13-cv-02488-BRO-RZ]

**JOINT STIPULATION FOR
RESCHEDULING OF HEARING ON
PLAINTIFFS' MOTION FOR
REVIEW OF NON-DISPOSITIVE
RULINGS, HERBALIFE'S MOTION
FOR SUMMARY JUDGMENT, AND
THE PARTIES' DAUBERT
MOTIONS**

*[Filed concurrently with [Proposed]
Order]*

Assigned to Hon. John A. Kronstadt,
Courtroom 10B

Pursuant to Local Rule 7.1, Defendant Herbalife International of America, Inc. (“Herbalife”), and Plaintiffs Patricia Rodgers, Jennifer Ribalta, and Izaar Valdez (“Plaintiffs”), by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, the parties have several motions scheduled to be heard on September 13, 2021, namely Plaintiffs’ Motion for Review of Non-Dispositive Rulings (Dkt. No. 309), Herbalife’s Motion for Summary Judgment (Dkt. No. 322), and the parties’ *Daubert* motions (Dkt. Nos. 323, 324, 325, 326, 327, 328, 329, 330) (the “Outstanding Motions”);

WHEREAS, Plaintiffs’ lead counsel, Etan Mark, is currently in trial in the Eleventh Judicial Circuit in and for Miami-Dade County, Florida, in *Clark Construction Group, LLC v. The City of Miami Beach, Florida* (Case No. 2020-002129-CA-01), is scheduled to be in trial on September 13, 2021, and is expected to be in trial through and including October 22, 2021.

WHEREAS, upon meeting and conferring, Herbalife has agreed to accommodate Mr. Mark’s trial schedule and the parties respectfully request that the hearings on the Outstanding Motions be reset to November 1, 2021, or the Court’s next available hearing date;

IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

- (1) The parties jointly request that the Court continue the hearings on Plaintiffs’ Motion for Review of Non-Dispositive Rulings (Dkt. No. 309), Herbalife’s Motion for Summary Judgment (Dkt. No. 322), and the parties’ *Daubert* motions (Dkt. Nos. 323, 324, 325, 326, 327, 328, 329, 330) to November 1, 2021, or the Court’s next available hearing date;
- (2) Alternatively, the parties jointly request that the Court set a status conference, at its convenience, to discuss rescheduling the hearing date(s) on the Outstanding Motions and other case scheduling matters.

Local Rule 5-4.3.4(a)(2)(i) Compliance: Filer attests that all other signatories

1 listed concur in the filing's content and have authorized this filing.

2 DATED: September 8, 2021

3 Mark Migdal & Hayden

4 By: /s/ Etan Mark

5 Etan Mark

6 Attorneys for Plaintiffs Patricia Rodgers,
7 Jennifer Ribalta, and Izaar Valdez

8 DATED: September 8, 2021

9 Mark T. Drooks

10 Paul S. Chan

11 Gopi K. Panchapakesan

12 Jon M. Jackson

13 Bird, Marella, Boxer, Wolpert, Nessim,
14 Drooks, Lincenberg & Rhow, P.C.

15 By: /s/ Paul Chan

16 Paul S. Chan

17 Attorneys for Defendant Herbalife
18 International of America, Inc.
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